

AMENDED IN ASSEMBLY APRIL 2, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1014

Introduced by Assembly Member Galgiani

February 27, 2009

An act to amend Section 6160 of add Section 12804.13 to the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1014, as amended, Galgiani. Vehicles: ~~title: driver's licenses:~~ *farmers.*

(1) Existing law authorizes the Department of Motor Vehicles to issue a restricted class A driver's license for the operation of a 2-axle vehicle weighing 4,000 pounds or more unladen when towing a livestock trailer exceeding 10,000 pounds, but not exceeding 15,000 pounds gross vehicle weight rating or gross vehicle weight, if specified conditions are met, including that the vehicle is operated by a farmer and is used to transport livestock. A violation of the Vehicle Code generally is an infraction.

This bill would authorize the department to issue a class A restricted driver's license for the operation of a vehicle in the production, harvesting, or transportation of silage by a farmer, employee of a farmer, or contracted employee of a farmer, between one part of a farm and another part of that farm or from one farm to another farm, on a highway for a distance not to exceed 20 miles from the point of origin of the trip, in specified counties. The bill would require the department to follow specified guidelines of the Federal Highway Administration in issuing those driver's licenses. The bill would require a licensed California driver applying for one of those driver's licenses, upon

application and every 2 years thereafter, to submit medical information on a form approved by the department. Because a violation of the bill's provisions would be an infraction, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

~~Existing law makes a statement of legislative intent regarding the need for the amendment of the record of title of a vehicle when that vehicle is exported out of the United States.~~

~~This bill would make nonsubstantive, technical changes to that statement of intent.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 12804.13 is added to the Vehicle Code,
- 2 to read:
- 3 12804.13. (a) The department may issue a restricted class A
- 4 driver's license for the operation of a vehicle in the production,
- 5 harvesting, or transportation of silage, as described in subdivision
- 6 (i) of Section 36101, in any of the following counties:
- 7 (1) Butte.
- 8 (2) Del Norte.
- 9 (3) Fresno.
- 10 (4) Glenn.
- 11 (5) Humboldt.
- 12 (6) Imperial.
- 13 (7) Kern.
- 14 (8) Kings.
- 15 (9) Los Angeles.
- 16 (10) Madera.
- 17 (11) Marin.
- 18 (12) Mendocino.
- 19 (13) Merced.
- 20 (14) Monterey.

1 (15) *Placer.*
2 (16) *Riverside.*
3 (17) *Sacramento.*
4 (18) *San Bernardino.*
5 (19) *San Benito.*
6 (20) *San Diego.*
7 (21) *San Joaquin.*
8 (22) *San Luis Obispo.*
9 (23) *Santa Barbara.*
10 (24) *Santa Clara.*
11 (25) *Santa Cruz.*
12 (26) *Shasta.*
13 (27) *Siskiyou.*
14 (28) *Solano.*
15 (29) *Sonoma.*
16 (30) *Stanislaus.*
17 (31) *Sutter.*
18 (32) *Tehama.*
19 (33) *Tulare.*
20 (34) *Yolo.*
21 (35) *Yuba.*

22 (b) *The requirements of subdivision (a) incorporate the*
23 *guidelines published by the Federal Highway Administration in*
24 *the Federal Register on September 26, 1988 (53 FR 37313). The*
25 *department shall follow those guidelines in acting pursuant to this*
26 *section as those guidelines now exist and as they are hereafter*
27 *amended.*

28 (c) *In lieu of a report of a medical examination required by*
29 *Section 12804.9, a licensed California driver applying for a*
30 *restricted license issued pursuant to subdivision (a) shall, upon*
31 *application and every two years thereafter, submit medical*
32 *information on a form approved by the department.*

33 SEC. 2. *The Legislature finds and declares that a special law*
34 *is necessary and that a general law cannot be made applicable*
35 *within the meaning of Section 16 of Article IV of the California*
36 *Constitution because of the unique circumstances applicable to*
37 *vehicles operated as described in subdivision (a) of Section*
38 *12804.13 of the Vehicle Code in the counties listed in subdivision*
39 *(a) of Section 12804.13 of the Vehicle Code.*

1 *SEC. 3. No reimbursement is required by this act pursuant to*
2 *Section 6 of Article XIII B of the California Constitution because*
3 *the only costs that may be incurred by a local agency or school*
4 *district will be incurred because this act creates a new crime or*
5 *infraction, eliminates a crime or infraction, or changes the penalty*
6 *for a crime or infraction, within the meaning of Section 17556 of*
7 *the Government Code, or changes the definition of a crime within*
8 *the meaning of Section 6 of Article XIII B of the California*
9 *Constitution.*

10 ~~SECTION 1. Section 6160 of the Vehicle Code is amended to~~
11 ~~read:~~

12 ~~6160. The Legislature finds and declares that when a vehicle~~
13 ~~is exported and its titlerecord is not amended to reflect exportation,~~
14 ~~it is conducive to vehicle theft and insurance fraud. A certificate~~
15 ~~of title issued by the State of California could be used in insurance~~
16 ~~fraud in which a claimant falsely states that a vehicle has been~~
17 ~~stolen or uses that certificate to fraudulently procure insurance~~
18 ~~when in fact the vehicle has previously been exported from the~~
19 ~~United States. In the interest of the general welfare of the citizens~~
20 ~~of this state, and in order to combat vehicle theft and insurance~~
21 ~~fraud, it is necessary that the department's record of title reflect~~
22 ~~the fact that a vehicle is being exported either temporarily or~~
23 ~~permanently, based upon the true owner's declaration prior to~~
24 ~~exportation.~~